

Substitute for Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 018912-170
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/550596
INTERNATIONAL APPLICATION NO. PCT/JP2004/003987	INTERNATIONAL FILING DATE March 23, 2004	PRIORITY DATE CLAIMED March 23, 2003		
TITLE OF INVENTION TWO-DIMENSIONAL PHOTONIC CRYSTAL SURFACE-EMITTING LASER				
APPLICANT(S) FOR DO/EO/US NODA , Susumu; YOKOYAMA, Mitsuru; SEKINE, Koujiro and MIYAI, Eiji				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission to items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 				
Items 11 to 21 below concern document(s) or information included:				
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <u>General Authorization, Application Data Sheet and PCT/ISA/210</u> 				
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		CALCULATIONS PTO USE ONLY																																				
<p>21. <input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>JAPAN SCIENCE AND TECHNOLOGY AGENCY, Kawaguchi-shi, Japan</u></p> <hr/> <hr/> <hr/> <hr/>																																						
<p>22. <input checked="" type="checkbox"/> The following fees are submitted:</p>																																						
<p>Basic Filing Fee (1631)</p>		\$ 300.00																																				
<p>Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).</p>		<input type="checkbox"/> 20 <input type="checkbox"/> 30																																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>8</td> <td>-20 =</td> <td>0</td> </tr> <tr> <td>Independent Claims</td> <td>2</td> <td>- 3 =</td> <td>0</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> </tr> <tr> <td colspan="4">+ \$360.00 (1616)</td> </tr> <tr> <td colspan="4">Examination Fee + \$200.00 (1633) \$ 200.00</td> </tr> <tr> <td colspan="4">Search Fee + \$400.00 (1432) \$ 400.00</td> </tr> <tr> <td colspan="4">App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS = \$ 900.00</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	8	-20 =	0	Independent Claims	2	- 3 =	0	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00 (1616)				Examination Fee + \$200.00 (1633) \$ 200.00				Search Fee + \$400.00 (1432) \$ 400.00				App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)				TOTAL OF ABOVE CALCULATIONS = \$ 900.00				
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<p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p>		+ \$ 0.00																																				
		SUBTOTAL = \$ 900.00																																				
<p>Processing fee of \$130.00 (1618) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).</p>		<input type="checkbox"/> 20 <input type="checkbox"/> 30 \$ 0.00																																				
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<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +</p>		\$ 0.00																																				
		TOTAL FEES ENCLOSED = \$ 900.00																																				
		Amount to be refunded :																																				
		charged :																																				
<p>a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.</p>																																						
<p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p>																																						
<p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u>. A duplicate copy of this sheet is enclosed.</p>																																						
<p>d. <input checked="" type="checkbox"/> Charge <u>\$ 900.00</u> to credit card. Form PTO-2038 is attached.</p>																																						
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>																																						
<p>SEND ALL CORRESPONDENCE TO:</p>																																						
<p>Burns, Doane, Swecker & Mathis, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620</p>																																						
<p><u>William C. Rowland</u> SIGNATURE</p>																																						
<p>NAME _____</p>																																						
<p>REGISTRATION NO. <u>30,888</u> DATE <u>September 23, 2005</u></p>																																						